

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	CRIMINAL NO.	
	:		
v.	:	DATE FILED:	
	:		
DERRICK CAIN	:	VIOLATIONS:	21 U.S.C. § 841(a)(1) (possession with the intent to distribute cocaine - 1 count) 18 U.S.C. § 924(c) (possession of a firearm in furtherance of a drug trafficking offense - 1 count) Notice of forfeiture

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

On or about April 12, 2005, in Philadelphia, in the Eastern District of Pennsylvania,
defendant

DERRICK CAIN

knowingly and intentionally possessed with intent to distribute more than 500 grams, that is,
approximately 1263.05 grams, of a mixture or substance containing a detectable amount of cocaine, a
Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(B)(ii).

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about April 12, 2005, in Philadelphia, in the Eastern District of Pennsylvania,
defendant

DERRICK CAIN

knowingly possessed a firearm, that is, a Smith and Wesson semi-automatic handgun Model # SW9VE, serial number PBD-4680, loaded with nine rounds in the magazine, in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, that is, possession with the intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

In violation of Title 18, United States Code, Section 924(c)(1)(A).

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

1. As a result of the violation of Title 21, United States Code, Section 841(a)(1), set forth in this indictment, defendant

DERRICK CAIN

shall forfeit to the United States of America:

(a) any property used or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such offense;

(b) any property constituting, or derived from, proceeds obtained directly or indirectly from the commission of such offense.

2. If any of the property subject to forfeiture, as a result of any act or omission of the defendant:

(a) cannot be located upon the exercise of due diligence;

(b) has been transferred or sold to, or deposited with, a third party;

(c) has been placed beyond the jurisdiction of the Court;

(d) has been substantially diminished in value; or

(e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant(s) up to the value of the property subject to forfeiture.

All pursuant to Title 21, United States Code, Section 853.

A TRUE BILL:

GRAND JURY FOREPERSON

**PATRICK L. MEEHAN
UNITED STATES ATTORNEY**